

Finalisation of Inter-State Seniority of all the Departments

*Q.—632. Sri K. H. RANGANATH (Mudigere).—

Will the Government be pleased to state :—

(a) whether the provisional Inter-State Seniority Lists of all Departments in the State both Gazetted and non-Gazetted Officers have been prepared, objections called for and sent to Government of India for finalisation ;

(b) if so, the stages at which these lists of various Departments are pending in Government ?

A.—Sri B. D. JATTI (Minister for Finance) [on behalf of SRI S. NIJALINGAPPA (Chief Ministers)].—

(a) and (b) So far as the Gazetted cadres concerned provisional I. S. S. Lists in respect of all cadres had been published by the State Government. Since the Mysore High Court quashed the lists relating to Road Transport Department and Collegiate Education Department, fresh provisional I.S.S. Lists in respect of these two Departments have to be prepared and published. The further action to be taken in respect of these Departments is being examined. In regard to the remaining Departments, the representations relating to 31 Departments have been sent to the Government of India for consideration and decision in consultation with the Central Advisory Committee. Out of these 31 Departments decisions of the Government of India have been received in respect of 26 Departments. The final I. S. S. Lists in accordance with the decisions of the Government of India have been published in respect of 21 cadres and necessary action is being taken to expedite the publication of the final I.S.S. Lists of the remaining of the 8 Departments. Only in respect of 2 Departments the representations are yet to be forwarded to the Government of India. Necessary action is being taken to expedite their transmission.

As regards the non-Gazetted cadres, in respect of 43 cadres provisional I.S.S. Lists have been published by Government ; only in respect of 19 cadres the provisional lists are yet to be published. Out of the 48 cadres, in respect of 14 cadres final I.S.S. Lists in accordance with decisions of Government of India have already been published in respect of 5 cadres, decisions of Government of India have been received and the final I.S.S. Lists are under preparation ; the representations relating to 13 cadres have been sent to the State Advisory Committee with the comments of the State Government and are pending with them ; and the representations relating to 11 cadres are under scrutiny for being forwarded to the State Advisory Committee with the comments of the State Government. Necessary action is being taken to expedite the transmission of these representations and the publication of the provisional I.S.S. Lists of the remaining 19 cadres.

ಶ್ರೀ ಕೆ. ಎಚ್. ರಂಗನಾಥ್.—19 ಇಲಾಖೆಗಳ ಬಗ್ಗೆ ಇನ್ನೂ ಕೆಲವು ಇಲಾಖೆಗಳ ಸೀನಿಯಾರಿಟಿ ಪಟ್ಟಿಯನ್ನು ತಯಾರಿಸಿಲ್ಲ ಎಂದು ಹೇಳಲಾಗಿದೆ. ಅವು ಯಾವುವು ?

Sri B. D. JATTI.—Out of the 19 Departments, seniority lists have been prepared in three more Departments. Only 16 Departments have to prepare the list. They are: Excise (Executive), Land Records, (Surveyors and Ministerial), P.W.D. (Supervisors and Ministerial staff and Junior Engineers), Commercial Tax Department (Executive), Technical Education Department, Social Welfare Department, Marketing Department, Transport Department, Electricity Department, Animal Husbandry Department, Police Department, M.A.R.P., Fire Service, Finger Print Bureau, Radio Grid, Kannada Translator's Office, Labour Department and Sericulture Department.

Sri G. V. GOWDA.—Is there any Government Order permitting granting of accelerated promotions ?

Sri B. D. JATTI.—It is a decision taken long back and it is being followed. There is no instance during the last three or four years.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ —ಜಿಲ್ಲಾ ನ್ಯಾಯಾಧೀಶರ ಸೀನಿಯಾರಿಟಿ ಪಟ್ಟಿಯನ್ನು ತೀರ್ಮಾನ ಮಾಡುವುದಕ್ಕೆ ಸರ್ಕಾರ ರಾಜಕೀಯ ಬೆಳೆಸಿರುವುದು ಸರಿಯೇ ?

ಶ್ರೀ ಬಿ. ಡಿ. ಜತ್ತಿ.—ದಿನಿಕ್ರಮ ಜಡ್ಜ್ ಕೇಡರ್‌ನಲ್ಲಿ ಕೆಲವರು ಇದ್ದಾರೆ: they also come under the category of Government Servants. What applies to other Government Servants, same principles will apply to judicial officers. There is no question of any political consideration.

ಶ್ರೀ ಕೆ. ಎಚ್. ರಂಗನಾಥ್.—ಗೆಜೆಟ್ ಕೇಡರ್ ಬಗ್ಗೆ ಈಕ್ಸಲೆಷನ್ ಮಾಡತಕ್ಕ ಅಧಿಕಾರ ಸ್ಟೇಟ್ ಸರ್ಕಾರಕ್ಕೆ ಇಲ್ಲ ಮತ್ತು ಪ್ರೊವಿಜನಲ್ ಲಿಸ್ಟ್ ಮಾಡತಕ್ಕ ಅಧಿಕಾರ ಕೂಡ ಇಲ್ಲ ಎಂದು ಮೊನ್ನೆ ಹೈಕೋರ್ಟ್‌ನಲ್ಲಿ ತೀರ್ಮಾನವಾಗಿರುವುದರಿಂದ ಆ ಬಗ್ಗೆ ಸರ್ಕಾರದ ಮೇಲೆ ಅವರು ಸ್ಪ್ರಿಕ್ಲರ್ಸ್ ಮಾಡಿಲ್ಲವೇ ?

Sri B. D. JATTI.—If the Hon'ble Member reads the judgment he will himself know. It is not necessary for me to interpret.

ಶ್ರೀ ಸಿ. ಆರ್. ರಂಗೇಗೌಡ.—ಮುವತ್ತೊಂದು ಇಲಾಖೆಗಳ ಇಂಟರ್‌ಸ್ಟೇಟ್ ಸೀನಿಯಾರಿಟಿ ಲಿಸ್ಟನ್ನು ಕೇಂದ್ರ ಸರ್ಕಾರದವರಿಗೆ ಕಳುಹಿಸಲಾಗಿದೆ ಎಂದು ಹೇಳಿದಿರಿ. ದೇಶದ ಐದು ಭಾಗಗಳಿಂದ ಬಂದು ಅವರು ಸೇರಿದ ಮೇಲೆ ತಯಾರು ಮಾಡಿದ ಇಂಟರ್‌ಸ್ಟೇಟ್ ಸೀನಿಯಾರಿಟಿ ಲಿಸ್ಟ್ ಅವರಿಗೆ ಕಳುಹಿಸಲಾಯಿತೇ ?

Sri B. D. JATTI.—Before we prepare Inter-State seniority list, naturally we will have to prepare inter-seniority list. Otherwise we cannot prepare the Inter-State seniority list.

ಶ್ರೀ ಜಿ. ಎಂ. ಕಬಾಡಿ.—ಪ್ರೊವಿಜನಲ್ ಲಿಸ್ಟ್ ತಯಾರು ಮಾಡಿದ್ದೇವೆ, ಫೈನಲ್ ಆಗಿಲ್ಲ ಎಂದು ಹೇಳಿದಿರಿ. ಇಲ್ಲಿ ಗೆಜೆಟ್‌ನಲ್ಲಿ ಆಗಲೇ ಪಬ್ಲಿಷ್ ಮಾಡಿದ್ದೇವೆ ಎಂದು ಹೇಳಿದ್ದೀರಿ. ಇದು ಸರಿಯೇ, ತಾವು ಹೇಳುವುದು ಸರಿಯೇ ?

ಶ್ರೀ ಬಿ. ಡಿ. ಜತ್ತಿ.—ಇದರೊಳಗೆ ಕೂಡ ಸಬ್ ಸೆಕ್ಷನ್ ಇರುತ್ತವೆ. ಅದನ್ನು ಬೇಕಾದರೆ ತಿಳಿಸುತ್ತೇನೆ.

Mr. SPEAKER.—If the Hon'ble Finance Minister has no objection, it can be placed on the Table of the House.

Sri B. D. JATTI.—I will place it.

Sri G. V. GOWDA—I wish to know in how many particular instances second list has been prepared ? Is it not a fact that in respect of Forest Department the High Court has observed that the Government is not competent to prepare a second list ?

Sri B. D. JATTI.—I have no copy of the judgment. If he has got, let him produce it.

Sri S. M. KRISHNA.—With all the confusion that surrounds the finalisation of the Inter-State Seniority, has it come to the notice of the Government that the public administration in the State is suffering very much on account of this?

Sri B. D. JATTI.—It is not correct. It may be the opinion of the Hon'ble Member.

Sri G. V. GOWDA.—The Hon'ble Law Minister stated here that the publication made under Article 237 of the Constitution vests in the High Court the control of the subordinate judiciary in the State. Such being the case, how can the Government interfere with the seniority or promotions of District judges?

Sri B. D. JATTI.—I do not think it will come under Inter-se or Inter-State seniority list.

Sri M. V. RAMA RAO.—The Hon'ble Member Mr. Venkatai Gowda should read the Notification to which I made reference yesterday while debate was going on in respect of Amending Bill of the Criminal Procedure Code.

ಶ್ರೀ ಜೆ. ಎಲ್. ಕಬಾಡಿ.—ವ್ಯವಸಾಯದ ಇಲಾಖೆಯಲ್ಲಿ ಫೈನಲ್ ಲಿಸ್ಟ್ ತಯಾರು ಮಾಡಿದ ಮೇಲೆ ಕೆಲವು ಅಫೀಸರ್ಸ್ ಹೈಕೋರ್ಟಿಗೆ ರಿಟ್ ಹೋದ ಕಾರಣ ಸೀನಿಯಾರಿಟಿ ಪ್ರಕಾರ ಪ್ರಮೋಷನ್ ಕೊಡಬೇಕೆಂದು ಅವರು ತಿಳಿಸಿದರು. ಆದರೆ ಆ ರೀತಿ ಪ್ರಮೋಷನ್ ಕೊಡದೆ ಇದ್ದುದರಿಂದ ಮತ್ತೆ ಅವರು ಕಂಟೆಂಪ್ಟ್ ಆಫ್ ಕೋರ್ಟ್ ಆಯಿತು ಎಂದು ತಿಳಿದುಕೊಂಡು ಹೈಕೋರ್ಟಿಗೆ ಅಪ್ಪೀ ಮಾಡಿದರು. ಆಗ ಅವರು ನರ್ಕಾರದವರಿಗೆ ನೋಟೀಸ್ ಕೊಟ್ಟು ನಂತರ ಅದನ್ನು ಫೈನಲ್ ಮಾಡಿದ್ದು ನಿಜವೇ?

Mr. SPEAKER.—Is it pending in the High Court? If these proceedings are pending in the High Court, then it becomes *sub-judice*. Therefore I cannot allow it.

Sri G. V. GOWDA.—It is not a fact that Notification under article 237 vests control of subordinate judiciary in the matter of promotion, postings, grant of leave, etc., in the High Court?

Mr. SPEAKER.—In respect of seniority list also?

Sri G. V. GOWDA.—Yes.

Sri M. V. RAMA RAO.—I think the opinion of the Hon'ble Member is not supported by either the provisions of the Constitution or provisions contained in the States Reorganisation Act pertaining to the preparation of Inter-State Seniority List.

ಶ್ರೀ ಜೆ. ಎಲ್. ಕಬಾಡಿ.—ವ್ಯವಸಾಯದ ಇಲಾಖೆಯಲ್ಲಿ ಆದಂಥ ನಿರ್ಣಯದ ಬಗ್ಗೆ ಕೋರ್ಟ್ ತೀರ್ಮಾನ ಕೊಟ್ಟಾಗ ಅದರ ಬಗ್ಗೆ ನರ್ಕಾರ ಘಾತೋ ಆಫ್ ಮಾಡಬೇ ಕಂಟೆಂಪ್ಟ್ ಆಫ್ ಕೋರ್ಟ್ ಆಯಿತು ಎಂದು ಅಫೀಸರುಗಳು ತಿಳಿಸಿದ ಮೇಲೆ ಫುನ: ಕೋರ್ಟಿನವರು ತಮ್ಮ ಒಂದು ತೀರ್ಮಾನ ವನ್ನು ಕೊಟ್ಟಾಗ ನರ್ಕಾರದವರು ಏನು ಕಾರ್ಯಕ್ರಮವನ್ನು ಕೈಕೊಂಡರು ಎಂದು ಕೇಳಿದೆ ಅಷ್ಟೆ.

Mr. SPEAKER.—What was the Order in that contempt of proceedings case?

ಶ್ರೀ ಜೆ. ಎಲ್. ಕಬಾಡಿ.—ಅಪಾಲಜಿ ಕೇಳಿಕೊಂಡು ಮಾಡಿದ್ದಾರೆ.

ಅಧ್ಯಕ್ಷರು.—ಹಾಗಿದ್ದರೆ ಅದು ಮುಗಿಯಿತು, ತನಿಖೆ ಬಾಕಿ ಇಲ್ಲವಲ್ಲಾ?

ಶ್ರೀ ಬಿ. ಡಿ. ಜತ್ತಿ.—ಏನೂ ಬಾಕಿ ಇಲ್ಲದೇ ಇದ್ದರೆ ಹೈಕೋರ್ಟ್ ಕೊನೇ ನಿರ್ಣಯ ಕೊಟ್ಟಿದ್ದನ್ನು ಒಪ್ಪಿಕೊಂಡು ಅದರಂತೆ ಮಾಡುತ್ತೇವೆ.

Sri C. J. MUCKANNAPPA.—Is it not a fact that after the provision list in the Education Department was published, the Government is now very seriously considering to revise that list just to suit the advantages to their own people ?

Sri B. D. JATTI.—It is very difficult to reply.

Sri C. J. MUCKANNAPPA.—I will give 3 or 4 instances.

Mr. SPEAKER.—Don't say it on the Floor of the House. Give it in writing and I will get the reply from the Government.

Sri C. J. MUCKANNAPPA.—Is it not a fact the the Government is thinking of bringing down the people who are promoted as Joint Director, of Public Instruction as Deputy Directors ?

Mr. SPEAKER.—These thoughts are translated into action.

Sri C. J. MUCKANNAPPA.—That is why I put it in that way and wanted to know the mind of the Government. Is it a fact that list is under very serious consideration to affect those persons who are already holding the position of Joint Directors ?

Sri B. D. JATTI.—All the Departments follow the same principle. The Education Department cannot be an exception to the general principles which have been accepted by the Government of Mysore.

Sri K. H. RANGANATH.—May I request the Government to supply me with answer in respect of all the Departments as to the stages in which the list is pending, either before the State Government or before the Central Government ?

Sri B. D. JATTI.—There are two annexures ; one is pertaining to Gazetted Officers and another pertaining to Non-Gazetted Officers. I have got two lists ready. If the Hon'ble Speaker allows, I will read ; otherwise, I will keep them on the Table of the House.

Mr. SPEAKER.—The latter course is all-right. They will be kept on the Table of the House.

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲ ಗೌಡ.—ಸರ್ಕಾರದವರು ಕೊಟ್ಟಿರುವ ತೀರ್ಮಾನಗಳನ್ನು ಈ ರಾಜ್ಯ ಒಂದಾಗಿ ಎಂಟು ವರ್ಷಗಳಾದರೂ ಸಿನಿಯಾರಿಟಿ ಪಟ್ಟಿಯನ್ನು ಮಾಡುವುದರಲ್ಲಿ ಸರ್ಕಾರದವರು ವಿಫಲವಾಗಿದ್ದಾರೆ ಎಂದು ಹೇಳಿ ಹೈಕೋರ್ಟ್ ಕೂಡ ಸರ್ಕಾರದ ವಿಳಂಬವನ್ನು ಖಂಡಿಸಿ ಅಡ್ಡ್ ವೇರ್ಷನ್ ಮಾಡಿದ್ದಾರೆ. ಅಂಥ ಸಮಯದಲ್ಲಿ ಇಡೀ ರಾಜ್ಯದ ನೌಕರ ವರ್ಗ ಈ ಕಾರಣದಿಂದ ಅತ್ಯಪ್ರವಾಗಿ ಇದ್ದು ಸರ್ಕಾರದ ಕೆಲಸ ಕಾರ್ಯಗಳು ಸುಗಮವಾಗಿ ನಡೆಯದೆ ಇರುವುದರಿಂದ ಸರ್ಕಾರದವರು ಇದನ್ನು ತೀರ್ಮಾನಿಸುವುದಕ್ಕೆ ಏನಾದರೂ ತೀವ್ರವಾದ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳುತ್ತಾರೆಯೇ ಅಥವಾ ಇದೇ ರೀತಿ ತಮ್ಮ ವಿಳಂಬ ನೀತಿಯನ್ನು ಮುಂದುವರಿಸಿಕೊಂಡು ಹೋಗುತ್ತಾರೆಯೇ ?

Sri B. D. JATTI.—All these are presumptions by the Hon'ble Member himself. There is no dissatisfaction in the rank and file of Government officers or officials. It has been stated by the Government that there are very few cases which have to be finalised and where we have not been able to finalise the list, there may be some dissatisfaction and it is bound to be there. But in a majority of cases the Government have finalised the lists and there is no dissatisfaction generally.

ಶ್ರೀ ಕೆ. ಪಿ. ರೇವಣ್ಣಸಿದ್ದಪ್ಪ.—ಈ ಪಟ್ಟಿ ಮಾಡುವಾಗ ತಮಗೆ ಬೇಕಾದವರಿಗೆ ಅನುಕೂಲ ವಾಗುವಂತೆ ತಯಾರಿಸಿರುವುದರಿಂದ ಮತ್ತು ಪ್ರಭಾವ ಬೀರಿರುವುದರಿಂದ ತಾನೆ ಇಷ್ಟು ಪ್ರಶ್ನೆಗಳು ಬರಲು ಕಾರಣವಾಯಿತು ?

ಶ್ರೀ ಬಿ. ಡಿ. ಜತ್ತಿ.—ಮಾನ್ಯ ಸದಸ್ಯರು ಹೇಳಿದ ಹಾಗೆ ಸರಕಾರದವರು ಏನೂ ಮಾಡಿಲ್ಲ.

Finalisation of Seniority list of officials of different Departments.

*Q.—731. Sri A. J. DODDAMETI (Ron).—

Will the Government be pleased to state :—

(a) whether they have finalised the seniority list of officials of different departments ;

(b) if so, the names of Departments in respect of which the seniority list has been finalised ;

(c) when the seniority lists of other Departments would be finalised ;

(d) whether they would consider the desirability of appointing a Special High Level Commission to decide and finalise the seniority lists of different Departments ?

A.—Sri B. D. JATTI (Minister for Finance) [on behalf of SRI S. NIJALINGAPPA (Chief Minister).—

(a) Yes, in respect of number of Departments.

(b) *Vide* list appended.

(c) Before the end of this year.

(d) In matters of integration, the Government of India is the final authority. Therefore, the State Government is not competent to appoint any Committee or Commission. The Government of India have already constituted Committees—one at the Central level for consideration of the representations of Gazetted Officers and the other at the State Level for consideration of the representation of the Non-Gazetted Officers. The Government of India are considering the representation of the aggrieved officers in consultation with the above Committee.

List of Departments in respect of which Final I.S.S. List have been published in Gazetted Cadres.

1 General Administration Department (*Secretariat Service*)
Under and Assistant Secretaries to Government.

2 Revenue Department.

(a) Mysore Administrative Service (Class I Sr. Scale)

(b) Assistant Commissioners

3 Judicial Department.

(a) District Judges

(b) Sub-Judges and Munsiffs